

**CITY OF BELLEVUE
ENVIRONMENTAL SERVICES COMMISSION
MEETING MINUTES**

Thursday
October 1, 2009
6:30 p.m.

Conference Room 1E-112
Bellevue City Hall
Bellevue, Washington

COMMISSIONERS PRESENT: Chair Szablya, Commissioner Mach, Commissioner Roberts, Commissioner Swenson

COMMISSIONERS ABSENT: Commissioner Carter, Commissioner Helland, Commissioner Mahon

OTHERS PRESENT: Nav Otal, Scott Taylor, Michael Paine, Anne Weigle

MINUTES TAKER: Laurie Hugdahl

1. CALL TO ORDER:

The meeting was called to order by Chair Szablya at 6:35 p.m.

2. ORAL COMMUNICATIONS:

None.

3. APPROVAL OF AGENDA

Nav Otal suggested a reordering of some of the agenda items.

Motion made by Commissioner Swenson, seconded by Commissioner Roberts, to approve the agenda. Motion passed unanimously (5-0).

4. APPROVAL OF MINUTES

- September 3, 2009 Regular Meeting Minutes

Motion made by Commissioner Mach, seconded by Commissioner Roberts, to approve the minutes as presented. Motion passed unanimously (5-0).

5. **REPORTS & SUMMARIES**

a. ESC Calendar/Council Calendar

- ◆ November 5 – Weather preparedness, continuation of CIP (if needed)
- ◆ December 3 – Solid Waste contract, 2010 Work Plan

b. Desk Packet Material (s)

- Conservation & Outreach Events & Volunteer Opportunities

This was reviewed by Nav Otal.

c. Mid-Biennium Budget Update

Ms. Otal explained that this is an abbreviated process as it is just the mid-biennium update and is reserved for technical adjustments or external factors that need to be addressed. The regular detailed budget is done once every two years.

Anne Weigle, Assistant Director, Utilities Resource Management and Customer Service, reviewed the memo contained in the ESC's packet. She stated that state law requires this process every other year. She reviewed the schedule related to this process.

Commissioner Roberts asked if they knew if King County Metro was planning an increase in rates. Ms. Weigle stated that they had not been notified of any for 2010, but she did expect changes in the next budget process.

Commissioner Mach asked about the 0% cost of living adjustment. Ms. Otal explained that the specific language in each group's contract dictates their pay increases.

Commissioner Roberts asked how difficult it was for staff to bring newly elected council members up to speed on budget issues after the elections. Ms. Otal remarked that this is actually a good time to bring them up to speed before the next budget cycle. Staff gives them updates and introductory meetings as soon after they are elected as they are interested, but officially they don't take office until 1/1/10.

d. Shoreline Master Program Update

Environmental Planning Manager for the Department of Development Services Michael Paine gave a PowerPoint presentation on the update of the Shoreline Master Program (SMP). He reviewed:

- The purpose of the briefing and the reason for the update:
Bellevue's SMP was first adopted in 1974 and there have been limited updates since then. DOE adopted new Shoreline Master Program Guidelines in 2003 and Bellevue is trying to come into conformity with these by 2010.
- SMA (Shoreline Management Act) Policy Objectives:
 - Environmental Quality as defined by no net loss
 - Preferred Uses – some uses need to locate on the shoreline and can't be anywhere else (i.e. – marina)
 - Public Access such as beaches and parks
- Bellevue's Update Objectives:
 - Determine community vision for the shoreline from the perspective of both property owners along the shoreline and the general public who would like to be able to use the shoreline. This tends to be a delicate balance, but there is a distinct bias among the general public toward providing more habitat and fish protection.
 - Look at potential use changes
 - Focus on restoration
 - Improve public access
 - Refine regulations based on experience and community input
- SMP Preparation Process – involves much interaction with DOE
- Potential Changes Affecting Utilities – Most of what is done now is already subject to CAO provisions and it is not expected to change dramatically. Some uses and activities that utilities is engaged in will be somewhat constrained by trying to find solutions that minimize ecological impacts. There is a strong focus on restoration and enhancement and low impact development on the shoreline.
- Major Planning Steps in Update – Need to establish jurisdictional boundaries, conduct inventory and ecological analysis and assign shoreline environments. The Planning Commission is currently struggling through the issue of assigning shoreline environments and shoreline scientific issues. They will also be developing policy, regulation, and a restoration plan. Finally they will conduct a cumulative impact analysis and obtain local and ecology approval.
- Description of Shoreline Environments – It is similar to a zoning or suitability overlay which is applied to shoreline segments based on ecological conditions and land use. This provides a system for assigning uses and different standards.
- Steps in Assigning Designations – Bellevue currently has no designations.

- DOE Recommended Designations – Aquatic, Natural, Rural conservancy, Urban Conservancy, Shoreline Residential, High Intensity and Alternative Specific
- City Staff Recommended Designations – Aquatic, Urban Conservancy, Urban Conservancy - Low Intensity, Marina - Private, Marina - Civic, Shoreline Residential
- Regulatory Implementation – Council directed that we start with existing Critical Areas regulations. The focus should be on public access, shoreline vegetation, water quality, and shoreline modifications. They also need to update uses for boating facilities, in-stream, residential, transportation, and utilities.
- Utility Regulations – Utilities must be designed to ensure: no net loss of ecological functions; preserve natural landscape; minimize conflicts with existing and future land use; and sufficient to accommodate growth. They will be focusing on the pipelines outside of shoreline area, shoreline location not favored, but there is a not-technically-feasible alternative test.
- Next Steps – There will be science briefings through November, then they will begin a review of existing regulations.

He noted that this has become a very controversial subject, especially for property owners on Lake Sammamish. He has been hearing from many citizens in opposition to this.

Commissioner Swenson asked about the jurisdiction. Mr. Paine replied that it is 200 feet from the high water line plus associated wetlands. Commissioner Swenson asked how they foresee the plan dealing with impacts that are outside the 200 feet, but will have impacts within the 200 feet. Mr. Paine agreed that it was very difficult to consider the impacts at water edge without seeing what is happening in the rest of the water shed; however for this document they are not allowed to look outside the 200 feet. That falls under the jurisdiction of Critical Areas regulations and NPDES regulations that help limit the amount of development impact that occurs. This is one reason why property owners are very upset. They feel that they are being unfairly regulated when people further upstream are not.

Chair Szablya referred to pipelines outside the shoreline area. He wondered if we should be moving the line out 200 feet off the shore like Mercer Island is doing. Mr. Paine commented that if it is a new facility these sets of rules would push you away from a water structure; however, when it already exists it is a different situation.

The Commission thanked Mr. Paine for the presentation.

e. CIP Summer Construction Recap

Ms. Otal stated that this is an update of summer construction as requested at the last meeting.

Scott Taylor, Construction Manager, Bellevue Utilities, briefly reviewed the utilities CIP 2009 Budget. He then discussed and displayed detailed photos of the following seven major projects:

- Meydenbauer Creek Sewer Replacement and Bank Stabilization Project
- Main Street Sewer Replacement
- Vasa/SE 44th Storm Drain Rehabilitation
- AC Water Main Replacement
- Cougar Mtn/SE 45th Street Sewer Extension
- Coal Creek – Upper Reach
- Sunset Creek/SE 30th Street Culvert Replacement

The commission thanked Mr. Taylor for the presentation. They expressed appreciation for the update on the projects that they have recommended.

6. NEW BUSINESS

Ms. Otal stated that Chair Szablya had requested an update on the Coal Creek culvert. The Staff is looking at bringing this to the Commission as a discussion item in open session if possible although it may be necessary to discuss it in executive session.

7. DIRECTOR'S OFFICE REPORT

None

8. CONTINUED ORAL COMMUNICATIONS

None

9: EXECUTIVE SESSION

None

10. ADJOURNMENT

Motion made by Commissioner Roberts, seconded by Commissioner Swenson, to adjourn the meeting at 8:08 p.m. Motion carried unanimously (5-0).